

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 06-30020
VERSUS	*	JUDGE JAMES
CYNTHIA ANN SINGLETON SIMON	*	MAGISTRATE JUDGE HAYES

**REPORT AND RECOMMENDATION ON
FELONY GUILTY PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of Guilty Plea, and Allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned U. S. Magistrate Judge for a change of plea hearing and allocution of the defendant, Cynthia Ann Singleton Simon, on October 23, 2007. Defendant was present with her counsel, Mr. Steven Hansen.

After said hearing, and for reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that her plea of guilty is knowing and voluntary, and her guilty plea to Counts One, Two, and Three of the Indictment and her obligation to provide restitution to the victims of all counts, is fully supported by an oral factual basis for each of the essential elements of the offenses.¹ Therefore the undersigned U.S. Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, Cynthia Ann

¹ Defendant agreed with the factual basis with the exception of a dispute as to the exact amount of restitution that might be owed to the bank regarding Count Three, but agreed that the matter will be handled at sentencing.

Singleton Simon, in accordance with the terms of the plea agreement filed in the record of these proceedings, and that Cynthia Ann Singleton Simon be finally adjudged guilty of the offenses charged in Counts One, Two, and Three of the Indictment and her obligation to provide restitution to the victims of all counts.

Under the provisions of 28 U.S.C. § 636(b)(1)(C) and F.R.C.P. Rule 72(b), the parties have **ten (10) business days** from service of this Report and Recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within **ten (10) business days** after being served with a copy thereof. A courtesy copy of any objection or response or request for extension of time shall be furnished to the District Judge at the time of filing. Timely objections will be considered by the District Judge before he makes a final ruling.

A PARTY'S FAILURE TO FILE WRITTEN OBJECTIONS TO THE PROPOSED FINDINGS, CONCLUSIONS AND RECOMMENDATIONS CONTAINED IN THIS REPORT WITHIN TEN (10) BUSINESS DAYS FROM THE DATE OF ITS SERVICE SHALL BAR AN AGGRIEVED PARTY, EXCEPT ON GROUNDS OF PLAIN ERROR, FROM ATTACKING ON APPEAL THE UNOBJECTED-TO PROPOSED FACTUAL FINDINGS AND LEGAL CONCLUSIONS ACCEPTED BY THE DISTRICT JUDGE.

THUS DONE AND SIGNED at Monroe, Louisiana, this 23rd day of October, 2007.



KAREN L. HAYES
U. S. MAGISTRATE JUDGE